



PTO/SB/08a/b (05-03)

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| Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | | | | Complete if Known | |
| | | | | Application Number | 09/955,680 - 1266 |
| | | | | Filing Date | September 19, 2001 |
| | | | | First Named Inventor | Michael J. O'Neil |
| | | | | Art Unit | 3738 |
| | | | | Examiner Name | D. Isabella |
| Sheet | 1 | of | 1 | Attorney Docket Number | 101896-0031 |

| U.S. PATENT DOCUMENTS | | | | | |
|-----------------------|--------------------------|--|--------------------------------|--|---|
| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number-Kind Code ² (if known) | | | |
| AKJ | | 5,888,245 | 03-30-1999 | Meulink et al. | |
| | | 2002/0138079 | 09-26-2002 | Cohen | |

| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|--------------------------|---|-----------------------------------|--|---|----------------|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ³ |
| | | Country Code ² -Number ⁴ -Kind Code ⁵ (if known) | | | | |
| AKJ | | DE 200 06 515 U1 | 10-08-2000 | Gobit GmbH | | |
| | | EP 1 153 582 A2 | 14-11-2001 | DePuy AcroMed, Inc. | | |
| | | EP 1 153 582 A3 | 21-11-2001 | DePuy AcroMed, Inc. | | |
| | | WO 99/29253 | 17-06-1999 | Surgical Navigation Technologies, Inc. | | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

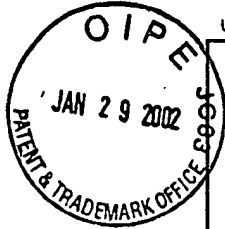
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| Examiner Signature | <i>William E. J. Jr.</i> | Date Considered | 3/21/05 |
|-----------------------|--------------------------|--------------------|---------|



PTO/SB/088 (10-01)
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| Substitute for form 1449B/PTO | | Complete if Known | | | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | | Application Number | 09/955,680-1266 | | |
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| | | Group Art Unit | 3738 | | |
| | | Examiner Name | David J. Isabella | | |
| Sheet | 1 | of | 5 | Attorney Docket Number | 101896-31 |

| U.S. PATENT DOCUMENTS | | | | | |
|-------------------------------|--------------------------|--|--------------------------------|--|--|
| Exam Iner Initial s* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number-Kind Code ² (# known) | | | |
| ✓ | AA | 4,759,769 | 07/26/1988 | Hedman et al. | |
| | AB | 5,246,458 | 09/21/1993 | Graham | |
| | AC | 5,306,309 | 04/26/1994 | Wagner et al. | |
| | AD | 5,431,658 | 07/11/1995 | Moskovich | |
| | AE | 5,458,643 | 10/17/1995 | Oka et al. | |
| | AF | 5,505,732 | 04/09/1996 | Michelson | |
| | AG | 5,674,294 | 10/07/1997 | Bainville et al. | |
| | AH | 5,683,465 | 11/04/1997 | Shinn et al. | |
| | AI | 5,893,889 | 04/13/1999 | Harrington | |
| | AJ | 6,059,790 | 05/09/2000 | Sand et al. | |
| | AK | 4,599,086 | 07/08/1986 | Doty | |
| | AL | 4,743,256 | 05/10/1988 | Brantigan | |
| | AM | 4,878,915 | 11/07/1989 | Brantigan | |
| | AN | 5,397,364 | 03/14/1995 | Kozak et al. | |
| | AO | 5,425,772 | 06/20/1995 | Brantigan | |
| | AP | 5,443,515 | 08/22/1995 | Cohen et al. | |
| | AQ | 5,522,899 | 06/04/1996 | Michelson | |
| | AR | 5,607,424 | 03/04/1997 | Tropiano | |
| | AS | 5,658,335 | 08/19/1997 | Allen | |
| | AT | 5,716,415 | 02/10/1998 | Steffee | |
| | AU | 5,755,798 | 05/26/1998 | Papavero et al. | |
| | AV | 5,766,252 | 06/16/1998 | Henry et al. | |
| | AW | 5,782,832 | 07/21/1998 | Larsen et al. | |
| | AX | 5,800,550 | 09/01/1998 | Sertich | |
| | AY | 5,824,094 | 10/10/1998 | Serhan et al. | |
| | AZ | 5,861,041 | 01/19/1999 | Tienboon | |
| | AA1 | 5,888,228 | 03/30/1999 | Knothe et al. | |
| | AB1 | 5,904,683 | 05/18/1999 | Pohndorf et al. | |
| | AC1 | 5,961,554 | 10/05/1999 | Janson et al. | |
| | AD1 | 5,964,807 | 10/12/1999 | Gan et al. | |
| | AE1 | 5,976,187 | 11/02/1999 | Richelsoph | |
| | AF1 | 6,019,793 | 02/01/2000 | Perren et al. | |
| | AG1 | 6,045,579 | 04/04/2000 | Hochshuler et al. | |
| | AH1 | 6,080,193 | 06/27/2000 | Hochshuler et al. | |
| | AI1 | 6,093,205 | 07/25/2000 | McLeod et al. | |
| | AJ1 | 6,096,080 | 08/01/2000 | Nicholson et al. | |
| | AK1 | 6,113,638 | 09/05/2000 | Williams et al. | |
| | AL1 | 6,120,503 | 09/19/2000 | Michelson | |
| | AM1 | 6,156,037 | 12/05/2000 | LeHuec et al. | |
| | AN1 | 6,176,882 | 01/23/2001 | Biedermann et al. | |
| | AO1 | 6,168,596 | 01/02/2001 | Wellisz | |
| | AP1 | 4,272,855 | 06/16/1981 | Frey | |
| | AQ1 | 4,349,921 | 09/21/1982 | Kuntz | |
| ✓ | AR1 | 4,627,853 | 12/09/1986 | Campbell et al. | |
| ✓ | AS1 | 4,678,470 | 07/07/1987 | Nashef et al. | |

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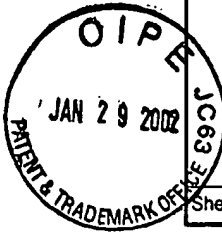
INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 2 of 5

Complete If Known

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| Application Number | 09/955,680-1266 |
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| Examiner Name | David J. Isabella |
| Attorney Docket Number | 101896-31 |



| | | | | |
|-----|-----------|------------|---------------------|--|
| AT1 | 4,685,919 | 08/11/1987 | Niwa et al. | |
| AU1 | 4,834,757 | 05/30/1989 | Brantigan | |
| AV1 | 4,950,296 | 08/21/1990 | McIntyre | |
| AW1 | 5,053,049 | 10/01/1991 | Campbell | |
| AX1 | 5,092,893 | 03/03/1992 | Smith | |
| AY1 | 5,192,327 | 03/09/1993 | Brantigan | |
| AZ1 | 5,275,954 | 01/04/1994 | Wolfenbarger et al. | |
| AA2 | 5,306,303 | 04/26/1994 | Lynch | |
| AB2 | 5,306,307 | 04/26/1994 | Senter et al. | |
| AC2 | 5,306,308 | 04/26/1994 | Gross et al. | |
| AD2 | 5,306,309 | 04/26/1994 | Wagner et al. | |
| AE2 | 5,443,514 | 08/22/1995 | Steffee | |
| AF2 | 5,514,180 | 05/07/1996 | Heggeness et al. | |
| AG2 | 5,534,030 | 07/09/1996 | Navarro et al. | |
| AH2 | 5,556,379 | 09/17/1996 | Wolfenbarger | |
| AI2 | 5,609,635 | 03/11/1997 | Michelson | |
| AJ2 | 5,609,637 | 03/11/1997 | Biedermann et al. | |
| AK2 | 5,658,337 | 08/19/1997 | Kohrs et al. | |
| AL2 | 5,702,449 | 12/30/1997 | McKay | |
| AM2 | 5,702,455 | 12/30/1997 | Saggar | |
| AN2 | 5,722,977 | 03/03/1998 | Wilhelmy | |
| AO2 | 5,725,579 | 03/10/1998 | Fages et al. | |
| AP2 | 5,728,159 | 03/17/1998 | Stroeve et al. | |
| AQ2 | 5,741,253 | 04/21/1998 | Michelson | |
| AR2 | 5,766,253 | 06/16/1998 | Brosnahan, III | |
| AS2 | 5,776,199 | 07/07/1998 | Michelson | |
| AT2 | 5,785,710 | 07/28/1998 | Michelson | |
| AU2 | 5,797,871 | 08/25/1998 | Wolfenbarger, Jr. | |
| AV2 | 5,814,084 | 09/29/1998 | Grivas et al. | |
| AW2 | 5,820,581 | 10/13/1998 | Wolfenbarger, Jr. | |
| AX2 | 5,865,845 | 02/02/1999 | Thalgott | |
| AY2 | 5,888,222 | 03/30/1999 | Coates et al. | |
| AZ2 | 5,888,227 | 03/30/1999 | Cottle | |
| AA3 | 5,897,593 | 04/27/1999 | Kohrs et al. | |
| AB3 | 5,972,368 | 10/26/1999 | McKay | |
| AC3 | 5,989,289 | 11/23/1999 | Coates et al. | |
| AD3 | 6,143,033 | 11/07/2000 | Paul et al. | |
| AE3 | 4,034,746 | 07/12/1977 | Williams | |
| AF3 | 4,337,576 | 07/06/1982 | Drost et al. | |
| AG3 | 4,369,788 | 01/25/1983 | Goald | |
| AH3 | 4,444,184 | 04/24/1984 | Oretorp | |
| AI3 | 4,545,374 | 10/08/1985 | Jacobson | |
| AJ3 | 4,660,287 | 04/28/1987 | Decker | |
| AK3 | 4,730,613 | 03/15/1988 | Gordy | |
| AL3 | 4,735,202 | 04/05/1988 | Williams | |
| AM3 | 4,772,287 | 09/20/1988 | Ray et al. | |

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INFORMATION DISCLOSURE
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Sheet 3 of 5

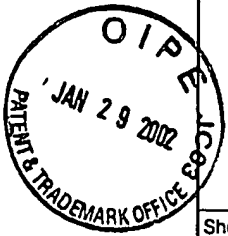
| | | | | |
|-----|-----------|------------|-------------------------|--|
| AN3 | 4,997,432 | 03/05/1991 | Keller | |
| AO3 | 5,019,081 | 05/28/1991 | Watanabe | |
| AP3 | 5,020,519 | 06/04/1991 | Hayes et al. | |
| AQ3 | 5,055,104 | 10/08/1991 | Ray | |
| AR3 | 5,059,194 | 10/22/1991 | Michelson | |
| AS3 | 5,122,130 | 06/16/1992 | Keller | |
| AT3 | 5,213,112 | 05/25/1993 | Niwa et al. | |
| AU3 | 5,254,128 | 10/19/1993 | Mesa | |
| AV3 | 5,292,329 | 03/08/1994 | Werner | |
| AW3 | 5,306,309 | 04/26/1994 | Wagner et al. | |
| AX3 | 5,314,477 | 05/24/1994 | Marnay | |
| AY3 | 5,403,337 | 04/04/1995 | Platts | |
| AZ3 | 5,423,843 | 06/13/1995 | Werner | |
| AA4 | 5,431,658 | 07/11/1995 | Moskovich | |
| AB4 | 5,431,672 | 07/11/1995 | Cote et al. | |
| AC4 | 5,443,514 | 08/22/1995 | Steffee | |
| AD4 | 5,481,804 | 01/09/1996 | Platts | |
| AE4 | 5,484,437 | 01/16/1996 | Michelson | |
| AF4 | 5,496,340 | 03/05/1996 | Abidin et al. | |
| AG4 | 5,015,247 | 05/14/1991 | Michelson | |
| AH4 | 5,122,130 | 06/16/1992 | Keller | |
| AI4 | 5,139,507 | 08/18/1992 | Dolgin et al. | |
| AJ4 | 5,505,732 | 04/09/1996 | Michelson | |
| AK4 | 5,531,754 | 07/02/1996 | Shackelford, Sr. et al. | |
| AL4 | 5,562,736 | 10/08/1996 | Ray et al. | |
| AM4 | 5,569,281 | 10/29/1996 | Abidin et al. | |
| AN4 | 5,569,282 | 10/29/1996 | Werner | |
| AO4 | 5,571,109 | 11/05/1996 | Bertagnoli | |
| AP4 | 5,599,351 | 02/04/1997 | Haber et al. | |
| AQ4 | 5,620,454 | 04/15/1997 | Pierce et al. | |
| AR4 | 5,645,597 | 07/08/1997 | Krapiva | |
| AS4 | 5,665,099 | 09/09/1997 | Pilo et al. | |
| AT4 | 5,683,407 | 11/04/1997 | Jolly et al. | |
| AU4 | 5,683,464 | 11/04/1997 | Wagner et al. | |
| AV4 | 5,720,751 | 02/24/1998 | Jackson | |
| AW4 | 5,730,751 | 03/24/1998 | Dillon et al. | |
| AX4 | 5,752,968 | 05/19/1998 | Jolly et al. | |
| AY4 | 5,766,252 | 06/16/1998 | Henry et al. | |
| AZ4 | 5,779,724 | 07/14/1998 | Werner | |
| AA5 | 5,782,830 | 07/21/1998 | Farris | |
| AB5 | 5,792,162 | 08/11/1998 | Jolly et al. | |
| AC5 | 5,797,909 | 08/25/1998 | Michelson | |
| AD5 | 5,827,309 | 10/27/1998 | Jolly et al. | |
| AE5 | 5,868,771 | 02/09/1999 | Herbert et al. | |
| AF5 | 5,885,299 | 03/23/1999 | Winslow et al. | |
| AG5 | 5,885,300 | 03/23/1999 | Tokuhashi et al. | |

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| Examiner Name | David J. Isabella |

| | | | | |
|-----|-----------|------------|------------------|--|
| AH5 | 5,888,224 | 03/30/1999 | Beckers et al. | |
| AI5 | 5,899,901 | 05/04/1999 | Middleton | |
| AJ5 | 5,908,432 | 06/01/1999 | Pan | |
| AK5 | 5,957,927 | 09/28/1999 | Magee et al. | |
| AL5 | 6,004,326 | 12/21/1999 | Castro et al. | |
| AM5 | 6,015,419 | 01/18/2000 | Strome et al. | |
| AN5 | 6,022,364 | 02/08/2000 | Flumene et al. | |
| AO5 | 6,042,582 | 03/28/2000 | Ray | |
| AP5 | 6,063,088 | 05/16/2000 | Winslow | |
| AQ5 | 6,066,174 | 05/23/2000 | Farris | |
| AR5 | 6,080,155 | 06/27/2000 | Michelson | |
| AS5 | 6,083,225 | 07/04/2000 | Winslow et al. | |
| AT5 | 6,083,228 | 07/04/2000 | Michelson | |
| AU5 | 6,096,038 | 08/01/2000 | Michelson | |
| AV5 | 6,113,602 | 09/05/2000 | Sand | |
| AW5 | 6,117,174 | 09/12/2000 | Nolan | |
| AX5 | 3,486,505 | 12/30/1969 | Morrison | |
| AY5 | 4,545,374 | 10/08/1985 | Jacobson | |
| AZ5 | 4,898,161 | 02/06/1990 | Grundel | |
| AA6 | 5,020,519 | 06/04/1991 | Hayes et al. | |
| AB6 | 5,800,438 | 09/01/1998 | Tuke et al. | |
| AC6 | 5,935,151 | 08/10/1999 | Broughton et al. | |
| AD6 | 5,951,564 | 09/14/1999 | Schroder et al. | |
| AE6 | 6,080,155 | 06/27/2000 | Michelson | |
| AF6 | 6,159,215 | 12/12/2000 | Urbahns et al. | |

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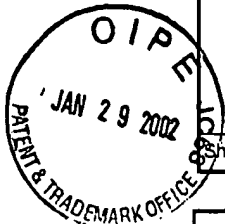
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FOREIGN PATENT DOCUMENTS

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|--------------------|----------|---|-----------------------------|---|---|
| | | Country Code ³ -Number ⁴ -Kind Code ⁵ (if known) | | | |
| ACI | BA | EP 0538183 | 04/21/1993 | | |
| | BB | FR 2703580 | 10/14/1994 | | |
| | BC | WO 9426213 | 11/24/1994 | | |
| | BD | WO 9508306 | 03/30/1995 | | |
| | BE | WO 9817209 | 04/30/1998 | | |
| | BF | WO 9855052 | 12/10/1998 | | |
| | BG | WO 9856319 | 12/17/1998 | | |
| | BH | WO 9856433 | 12/17/1998 | | |
| | BI | EP 0880938 | 12/02/1998 | | |

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| OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS | | | |
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| WJ | CA | Depuy, "Keystone Graft Instruments Anterior Cervical Surgical Technique," <i>Technical Manual</i> , Motech | |
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